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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/826,244	04/04/2001	Takeshi Hataguchi	14490	2683
23389	7590	09/08/2004	EXAMINER	
SCULLY SCOTT MURPHY & PRESSER, PC 400 GARDEN CITY PLAZA GARDEN CITY, NY 11530			THEIN, MARIA TERESA T	
			ART UNIT	PAPER NUMBER
			3625	

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/826,244

Applicant(s)

HATAGUCHI, TAKESHI

Examiner

Marissa Thein

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2001.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-14 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 04 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Priority

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 09/826244, filed on April 4, 2001.

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

The drawing filed on April 4, 2001 are acceptable.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,815,665 to Teper et al.

Regarding claim 1, Teper an anonymous purchase sale method applicable to online shopping using computers between a purchaser and a salesperson, comprising:

- receiving purchase commodity specifying information that is input by a purchaser terminal device to specify a purchasing commodity and is transmitted via a network (see at least col. 3, lines 31-39; col. 9, lines 25-28; col. 9, lines 38-49; col. 8. line 59- col. 9, line 8);

- generating an order ID in response to the purchasing commodity specifying information (see at least col. 3, lines 31-39; col. 11, lines 24-33);
- sending a pair of the order ID and the purchasing commodity specifying information to the purchaser terminal device and a salesperson terminal device that is used by the salesperson who sells the purchasing commodity online (see at least col. 11, lines 24-33; col. 11, lines 46-65)
- registering the purchasing commodity specifying information with a sales history storage device (see at least col. 5, lines 42-44; col. 11, lines 46-65; col. 12, line 67 – col.13, line 6; Figure 4; col. 14, line 65 – col. 15, line 34);
- in response to a request from the salesperson, sending information stored in the sales history storage device and/or sending analysis results, which are produced by analyzing information sourced in the sales history storage device, to the salesperson terminal device (see at least col. 11, line 44 – col. 12, line 9; col. 12, line 67 – col.13, line 10; Figure 4).

Regarding claim 2, Teper discloses:

- receiving purchase request information designating a kind and characteristics of the purchasing commodity from the purchaser terminal device via the network (see at least col. 8, lines 7-19; col. 8, line 59- col. 9, line 8; col. 9, lines 25-27; col. 9, lines 38-49; col. 11, lines 13-33);
- retrieving from among all items of commodity information stored in a commodity information storage device, at least one item of the commodity information that

suits to the purchase request information (see at least col. 9, lines 25-27; col. 9, lines 38-49; col. 11, lines 13-33; col. 11, lines 46-50; col. 12, lines 24-29); and

- sending the retrieved commodity information to the purchaser terminal device, allowing the purchaser to select from the retrieved commodity information, a desired item that the purchaser prefers on the purchaser terminal device (see at least col. 11, lines 13-33; col. 11, lines 46-50; col. 12, lines 24-29).

Regarding claim 3, Teper discloses:

- receiving purchase request information designating a kind and characteristics of the purchasing commodity from the purchaser terminal device via the network (see at least col. 8, lines 7-19; col. 8, line 59- col. 9, line 8; col. 9, lines 25-27; col. 9, lines 38-49; col. 11, lines 13-33);
- registering the purchaser request information with a purchaser's preference storage device (see at least col. 8, line 54 – col. 9, line 23; col. 11, lines 16-24; col. 12, lines 24-29); and
- in response to the request from the salesperson, sending information stored in the purchaser's preference storage device and/or sending analysis results, which are produced by analyzing the information stored in the purchaser's preference storage device, to the salesperson terminal device (see at least col. 8, line 63- col. 9, line 8; col. 11, lines 14-27).

Regarding claim 4, Teper discloses an anonymous purchase and sale system, comprising:

- a commodity sales processor for generating an order ID in response to purchasing commodity specifying information that is input by a purchaser terminal device to specify a purchasing commodity and is transmitted thereto via network, so that the commodity sales processor sends a pair of the order ID and the purchasing commodity specifying information to the purchaser terminal device and a salesperson terminal device that is used by the salesperson who sells the purchasing commodity online see at least col. 3, lines 31-39; col. 9, lines 25-28; col. 9, lines 38-49; col. 8, line 59- col. 9, line 8; col. 11, lines 24-33; col. 11, lines 46-65);
- a history storage implement for registering the purchasing commodity specifying information with a sales history storage device (see at least col. 5, lines 42-44; col. 11, lines 46-65; col. 12, line 67 – col.13, line 6; Figure 4; col. 14, line 65 – col. 15, line 34); and
- an analyzer for in response to a request from the salesperson, sending information stored in the sales history storage device and/or sending analysis results, which are produced by analyzing information stored in the sales history storage device to the salesperson terminal device (see at least col. 8, line 63 – col. 9, line 8; col. 11, line 44 – col. 12, line 9; col. 12, line 67 – col.13, line 10; Figure 4; col. 11, lines 14-27).

Regarding claims 5-6, the claims are rejected on the same grounds as claims 2-3 above.

Regarding claim 7, the claim is rejected on the same grounds as claim 1 above.

Regarding claims 8-9, the claims are rejected on the same grounds as claims 2-3.

Regarding claim 10, Teper discloses an anonymous purchase and sale method, comprising:

- receiving purchase request information that is input by the purchaser to designate a kind and characteristics of a purchasing commodity on a purchaser terminal device and is transmitted via a network (see at least col. 8, lines 7-19; col. 8, line 59- col. 9, line 8; col. 9, lines 25-27; col. 9, lines 38-49; col. 11, lines 13-33);
- retrieving from all items of commodity information stored in a commodity information storage device, at least one item of the commodity information that suits to the purchase request information (see at least col. 9, lines 25-27; col. 9, lines 38-49; col. 11, lines 13-33; col. 11, lines 46-50; col. 12, lines 24-29);
- sending the retrieved commodity to the purchaser terminal device, allowing the purchaser to select a desired item from the retrieved commodity information as the purchasing commodity and to send back purchasing commodity specifying information (see at least col. 11, lines 13-33; col. 11, lines 46-50; col. 12, lines 24-29);
- in response to the purchasing commodity specifying information, generating an order ID (see at least col. 11, lines 24-33; col. 11, lines 46-65);
- sending a pair of the order ID and purchasing commodity specifying information to the purchaser terminal device, allowing the purchaser to pay a value of the

purchasing commodity online by way of an anonymous settlement server in connection with the order ID (see at least col. 11, lines 24-33; col. 11, lines 46-65);

- sending a pair of the order ID and the purchasing commodity specifying information to a salesperson terminal device that is used by the salesperson who sells the purchasing commodity online, allowing the salesperson to receive a remittance via the anonymous settlement server and to proceed to delivery of the purchasing commodity by way of an anonymous delivery system in connection with the order ID (see at least col. 11, lines 24-33; col. 11, lines 46-65); and
- registering the purchasing commodity specifying information with a sales history storage device, while registering the purchase request information with a purchaser's preference storage device (see at least col. 5, lines 42-44; col. 8, line 63- col. 9, line 8; col. 11, lines 14-27; col. 11, lines 46-65; col. 12, line 67 – col.13, line 6; Figure 4; col. 14, line 65 – col. 15, line 34).

Regarding claim 11, Teper discloses an amount of payment from the purchaser with a value of the purchasing commodity to send the remittance to the salesperson in connection with the order ID (see at least col. 11, lines 24-33; col. 11, lines 46-65).

Regarding claim 12, Teper discloses wherein the purchaser designates a receiving address for receipt of the purchasing commodity on the purchaser terminal device, so that the salesperson accesses the anonymous delivery system to deliver the purchased commodity to the designated receiving address in connection with the order ID (see at least col. 6, lines 4-13; col. 11, lines 13-33).

Regarding claim 13, Teper discloses in response to a request from the salesperson, transmitting information stored in the sales history storage device and/or information stored in the purchaser's preference storage device to the salesperson terminal device, so that the salesperson proceeds to payment of a value for provision of the information online (see at least col.14, lines 46-65).

Regarding claim 14, Teper discloses:

- in response to a request from the salesperson, analyzing information stored in the sales history storage device and/or information stored in the purchaser's preference storage device, thus producing analysis results (see at least col. 8, line 63 – col. 9, line 8; col. 11, line 44 – col. 12, line 9; col. 12, line 67 – col.13, line 10; Figure 4 col. 11, lines 14-27; and
- sending the analysis results to the salesperson terminal device, so that the salesperson proceeds to payment of a value for provision of the analysis results online (see at least col. 11, lines 13-33; col. 11, lines 46-60).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 5,913,203 to Wong et al. discloses a system and method for pseudo cash transactions.

PCT International Publication No. WO/99/66428 discloses a system and method of providing privacy through anonymity.

The article "Anonymous Credit Cards" discloses a communications networking technique for funds transfer which combines the privacy of cash transactions.

The article "On Shopping Incognito" discloses consumer anonymity in electronic commerce.


The article "How to Make Personalized Web Browsing Simple, Secure, and Anonymous" discloses anonymous personalized web browsing.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa Thein whose telephone number is 703-305-5246. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Smith can be reached on 703-308-3588. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mtot
August 26, 2004


Jeffrey A. Smith
Primary Examiner